



## Freshfields Bruckhaus Deringer US LLP

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**VIA ECF**

November 21, 2013

Chief Judge Gary L. Sharpe  
James T. Foley - U.S. Courthouse  
445 Broadway, Room 441  
Albany, NY 12207

**Re: *Jacoby et al v. Blitz USA, Inc.* (Case No. 1:11mc50, Underlying Case No.: 1:10-cv-3075, District of Oregon)**

Dear Judge Sharpe:

We represent non-party Kinderhook Industries, LLC in the above captioned matter and write in response to your request for a status update docketed on June 4, 2013.

On May 31, 2011, Plaintiff Robert Jacoby served a Subpoena to Testify on non-party Kinderhook Industries, LLC with respect to *Jacoby et al v. Blitz USA, Inc.*, Case No.: 1:10-cv-3075, United States District Court for the District of Oregon. On June 17, 2011, Kinderhook Industries, LLC filed a Motion to Quash in this Court. [See Dkt. No. 1.] On November 20, 2013, Plaintiff agreed to withdraw the Subpoena without prejudice to his ability to re-file. Kinderhook Industries, LLC will therefore withdraw its Motion to Quash, reserving the right to renew the in the event that the Subpoena is re-filed.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Pamila Gudkov'.

Pamila Gudkov

cc: Thomas N. Peterson, Esq. (via US Mail)  
Diane Breneman, Esq. (via US Mail)  
John Tippit, Esq. (via US Mail)

The Freshfields Bruckhaus Deringer US LLP partners include members of the Bars of the State of New York and the District of Columbia, Solicitors of the Supreme Court of England and Wales and Rechtsanwälte of Germany

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